

DECLARATORY  
~~Improvement~~ Res. No. 1273-1970

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For the Vacation of Horace Street from the east property line of Smith Street to the west property line of Holton Avenue, except the Oliver Street and Bowser Avenue intersection.

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Resolution Adopted: April 20, 1970

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Confirmed: April 20, 1970

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Bids Received:

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Contract Awarded:

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Contract and Bond:

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Contractor:

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Reported Completed:

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Assessment Roll Confirmed: June 18, 1970

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DECLARATORY RESOLUTION NO. 1273-1970

For the Vacation of Horace Street from the east property line of Smith Street to the west property line of Holton Avenue, except the Oliver Street and Bowser Avenue intersection.

PLANS ORDERED:

ADOPTED: April 20, 1970

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVED

HEARING ON CONFIRMATION:

CONFIRMED: April 20, 1970

ASSESSMENT ROLL ORDERED: April 20, 1970

ASSESSMENT ROLL APPROVED: May 26, 1970

HEARING ON CONFIRMATION  
OF ASSESSMENT ROLL: Thurs., June 18, 1970, 3:30 p. m.

NOTICE SERVED: June 5, 1970

ASSESSMENT ROLL CONFIRMED: June 18, 1970

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of Horace Street from the east property line of Smith Street to the west property line of Holton Avenue, except the Oliver Street and Bowser Avenue intersections.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Horace Street from the east property line of Smith Street to the west property line of Holton Avenue, except the Oliver Street and Bowser Avenue intersections.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 1 and 12, Schaich's Subdivision; Lots 72 and 73, Greene's Sub. of Hanna's Out Lot #4, Plat "A"; Lots 1 to 9 inclusive, Bard's Subdivision; Lots 13, 24, 25 and 36, all in Charles Hanna's Addition; and Lots 1 to 10 inclusive, Greene's Sub. of Hanna's Out Lot #6, Plat "A". Said additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described \_\_\_\_\_ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits~~

All Streets, lots and lands affected by the above described Vacation are situated in the east one-half of Section Twelve, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS

20

DAY OF

April

19 70

Attest:

Secretary Board of Public Works.

Robert W. Dahman

Board of Public Works.





ST

SCHAICHS

HORACE

HANNAS

C.

BUCHANAN

OLIVER

THAYER

GREENES

S

77 SUB

SUB.

BOWSER AVE.

BOWSER

AVE.

BARDS

GREENES

STREET

SUBDIVISION

SUB.

ST.

1273

HOLTON

N

OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

B.O.71-70

55-56-8

Date April 20, 1970

To City Engineer

Subject Dec. 1273-1970 Vacation Horace Street

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman  
Robert W. Dahman  
George F. Gable  
BOARD OF PUBLIC WORKS

ic  
encl. Res. & P.O. List

Signed \_\_\_\_\_

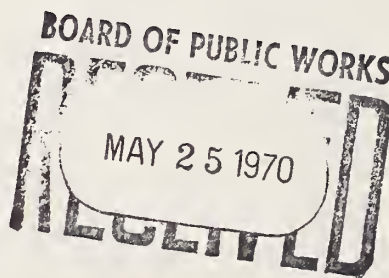
Reply:

May 22, 1970

Assessment roll of benefits and damages completed and attached.

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Manager

DEB:lc  
attachs.



Signed \_\_\_\_\_

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

W A I V E R

The undersigned City of Fort Wayne, Department of Redevelopment, the owner of all property which may be injuriously or beneficially affected by the proposed vacation of a street described as follows, to wit:

Horace Street from the east property line of Smith Street to the west property line of Holton Avenue, except the Oliver Street and Bowser Avenue intersections.

which proposed vacation is set out in Declaratory Resolution No. 1273 - 1970 of the Board of Public Works of the City of Fort Wayne, Indiana, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that said Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon said Department of Redevelopment.

Dated this 9TH day of April, 1970.

CITY OF FORT WAYNE  
DEPARTMENT OF REDEVELOPMENT

By

  
Hassel Wolfe, Executive Director

## DECLARATORY

~~Improvement~~ Resolution No. <sup>1273</sup> - 1970 For THE VACATION OF HORACE STREET FROM THE EAST PROPERTY LINE OF SMITH STREET TO THE WEST

PROPERTY LINE OF HOLTON AVENUE, EXCEPT THE OLIVER STREET AND BOWSER AVENUE INTERSECTIONS.

	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O. L.	
1	CITY of FORT WAYNE	1401 Borden Street S. of City	1			SCHAICH'S SUB
2	" " " "	" " " "	12			" " "
3	" " " "	" " " "	72			GREENE'S SUB OF H. O. L. 9 PLAT "A"
4	" " " "	" " " "	73			" " " "
5	" " " "	" " " "	1			BARD'S SUB.
6	" " " "	" " " "	2 - S. of ALLEY			" " "
7	" " " "	" " " "	3 - S. of ALLEY			" " "
8	" " " "	" " " "	4 - S. of ALLEY			" " "
9	" " " "	" " " "	5 - S. of ALLEY			" " "
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14	" " " "	" " " "	13			CHARLES HAMILA'S ADD
15	" " " "	" " " "	24			" " "
16	" " " "	" " " "	5			" " "
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TOTAL						





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